## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BUWLUS A. MUHAMMAD,	)
Plaintiff,	
v.	Civil Action No. 04-131Erie
D.A. BRAD FOULK, et al.,	
Defendants.	}
	ORDER

This matter has been referred to United States Magistrate Judge Susan Paradise Baxter in accordance with the Magistrates Act, 28 U.S.C. §§ 636 (b)(1)(A) and (B), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation filed October 5, 2005, recommended that Plaintiff's "Motion for Preliminary Prohibitory Injunction Restraining Order" (Doc. 41) and his "Preliminary Prohibitory Injunction Restraining Order" (Doc. 45) be denied. The parties were allowed ten (10) days from the date of service to file any objections. Service was made on all parties. Plaintiff has filed objections to the report and recommendation.

After *de novo* review of the documents in the case, together with the report and recommendation and Plaintiff's objections thereto, the following Order is entered:

AND NOW, to-wit, this 26<sup>th</sup> day of October, 2005, IT IS HEREBY ORDERED that the report and recommendation of Magistrate Judge Baxter dated October 5, 2005 be and hereby is adopted as the Opinion of this Court. IT IS FURTHER ORDERED that Documents 41 and 45 be and hereby are DENIED.

Maurice B. Cohill, Jr.

Senior United States District Judge

s/ Maurie B. Cohill . W.

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cc: The Honorable Susan Paradise Baxter United States Magistrate Judge

all parties of record